

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Julio Manuel Polanco	:	
Debtor	:	24-13808
	:	
Julio Manuel Polanco ,	:	
Plaintiff	:	
v.	:	
United States of America,	:	
Department of the Treasury,	:	
Internal Revenue Service	:	
Defendant	:	

**COMPLAINT TO DETERMINE THE
DISCHARGEABILITY OF DEBTOR'S 2019 TAX OBLIGATIONS**

1. Plaintiff is Julio Manuel Polanco, Debtor in the above captioned matter.
2. Defendant is the United States of America, Department of the Treasury, Internal Revenue Service, a creditor of the Debtor in the above captioned Bankruptcy.
3. Defendant may be served at addresses including but not limited to the following.

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-000

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

Jacqueline C. Romero, Assistant United States Attorney
1501 N. 6th Street, Box 202
Harrisburg, PA 17102

Department of Treasury
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

Internal Revenue Service
409 Lackawanna Avenue
Scranton, Pennsylvania 18503

4. This Court has jurisdiction to hear this complaint based on but not limited to the following.
 - a. 28 U.S.C. §157(a).
 - b. 28 U.S.C. §157(b)(2).
 - c. 28 U.S.C. §§ 1334(b).
 - d. 11 U.S.C. §523(a).
 - e. Federal Rule of Bankruptcy Procedure 4007.
5. This is a core proceeding in accordance with 28 U.S.C. § 157(b).
6. The Internal Revenue Service has determined that an estimated \$16,399.06 is due from the Debtor for the year 2019.
7. On October 24, 2024, the Debtor herein filed for relief under Chapter 7 of Title XI of the United States Bankruptcy Code, Case No. 24-13808.
8. Debtor did not include said tax indebtedness on his Bankruptcy schedules as filed because he was unaware of the balance at the time of initial filing.
9. Debtor's Schedule F Could still be amended.
10. Debtor's case was a no asset case.
11. Upon information and belief, the Debtor's said tax obligation for 2019 is dischargeable pursuant to 11 USC 523(a)(1)(A) and 11 U.S.C. §507(a)(8)(A)(I), because all of the following apply.
 - a. the tax obligation is applicable taxable years which returns were due three years before the date of filing of Debtor's Bankruptcy Petition in this case;
 - b. the return for the year 2019 was filed more than two years prior to the filing of this Bankruptcy Petition; and
 - c. there were no IRS assessments for the taxes within 240 days or less prior to the filing of debtor's Bankruptcy Petition.
 - d. Debtor committed no fraud in connection with said taxes.

WHEREFORE, Plaintiff Debtor requests that the Court determine which of Debtor's 2019 taxes may be dischargeable in bankruptcy for the reasons set forth above. Plaintiff Debtor requests such other and further relief as the Court may deem just and proper.

/s/ Vicki Piontek

1/30/2025

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Date